

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RYAN KARNOSKI, et al.,

Plaintiffs, and

STATE OF WASHINGTON,

Plaintiff-Intervenor,

V₃

DONALD J. TRUMP, in his official capacity
as President of the United States, et al.,

Defendants.

Case No. 2:17-cv-01297-MJP

**JOINT STIPULATION TO
CONSOLIDATE CASES 2:17-cv-01297-
MJP AND 2:19-cv-01206-MJP FOR ALL
PURPOSES**

**NOTE ON MOTION CALENDAR:
August 16, 2019**

JOINT STIPULATION TO CONSOLIDATE
CASES 2:17-cv-01297-MJP AND 2:19-cv-01206-
RSM FOR ALL PURPOSES
[Case No.: 2:17-cv-01297-MJP]

NEWMAN DU WORS LLP

2101 Fourth Avenue, Suite 1500
Seattle, Washington 98121
(206) 274-2800

1 Plaintiffs Ryan Karnoski, Cathrine Schmid, D.L., formerly known as K.G., by his next
2 friend and mother, Laura Garza, Lindsey Muller, Terece Lewis, Phillip Stephens, Megan
3 Winters, Jane Doe, Human Rights Campaign, Gender Justice League, and American Military
4 Partner Association n/k/a Modern Military Association of America (collectively, “Plaintiffs”);
5 Plaintiff-Intervenor State of Washington; Defendants Donald J. Trump, the United States of
6 America, Mark Esper, and the United States Department of Defense (collectively,
7 “Defendants”), and third party Dr. Paul McHugh hereby stipulate and move the Court as follows:

8 WHEREAS, Plaintiffs filed their Complaint against Defendants on August 28, 2017 in this
9 Court. (Dkt. # 1);

10 WHEREAS, on November 27, 2017 this Court granted Plaintiff-Intervenor’s request to
11 join the matter (Dkt. # 101), and on December 14, 2017 Plaintiff-Intervenor filed their Complaint
12 in this matter. (Dkt. # 104);

13 WHEREAS, on August 22, 2018 Plaintiffs served a subpoena on Dr. Paul McHugh (the
14 “Subpoena”);

15 WHEREAS on October 3, 2018 Plaintiffs filed a motion to compel with respect to the
16 Subpoena in the United States District Court for the District of Maryland, Case No.: 1:18-CV-
17 3164 (the “Subpoena Dispute”) (1:18-CV-3164; Dkt. # 1);

18 WHEREAS, on July 31, 2019 the Parties in the Subpoena Dispute matter consented to
19 transfer to this Court pursuant to Fed. R. Civ. P. 45(f) (1:18-CV-3164; Dkt. No. 21);

20 WHEREAS, on August 1, 2019 the Clerk of Court notified counsel that the Subpoena
21 Dispute had been transferred to this Court and was assigned to the Honorable Ricardo S.
22 Martinez, Case No.: 2:19-cv-01206-RSM. (19-CV-1206; Dkt. # 24);

23 WHEREAS, on August 2, 2019, the Subpoena Dispute was reassigned to the Honorable
24 Marsha J. Pechman, as related to 17-CV-1297;

25 WHEREAS, on August 9, 2019, the Parties to the Subpoena Dispute, in accordance with
26 LCR 42(b), met and agreed to consolidate matters 17-CV-1297 and 19-CV-1206, and further
27 agreed that no changes to the current Case Schedule (Dkt. # 344) be revised;

1 WHEREAS, Plaintiff-Intervenor is not a party to the Subpoena Dispute, but does not
2 object to its consolidation with this matter;

3 NOW THEREFORE, pursuant to Fed R. Civ. P. 42(a) and LCR 42, Plaintiffs, Plaintiff-
4 Intervenor, and Defendants, through their respective counsel of record, do hereby stipulate and
5 agree, and respectfully request, that the Court enter an order that *Karnoski, et al. v. Trump, et al.*,
6 Case No. 2:19-cv-01206-MJP be consolidated with *Karnoski, et al. v. Trump, et al.*, Case No.
7 2:17-cv-01297-MJP for all purposes pursuant to LCR 42(a).

8
9 SO STIPULATED

10 Respectfully submitted August 28, 2019.

11
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25 Carl Charles (admitted pro hac vice)
Paul D. Castillo (admitted pro hac vice)

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14 **UNITED STATES DEPARTMENT OF
JUSTICE**

15 s/ Andrew E. Carmichael
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30 Washington

ORDER

This matter comes before the Court on the Parties' Joint Stipulation to Consolidate Cases 2:17-cv-01297-MJP and 2:19-cv-01206-MJP For All Purposes, and the Court having considered the Stipulation and the records and files of the case, the Court does hereby find good cause to order that the two above-captioned matters will be consolidated for all purposes before the Honorable Marsha J. Pechman, with a trial date of June 22, 2020. All future filings must be submitted in the lead case, 2:17-cv-01297-MJP.

IT IS SO ORDERED.

Dated this 28th day of August, 2019.

Marsha J. Pechman
Marsha J. Pechman
United States District Judge

PRESENTED BY:

NEWMAN DU WORS LLP

**UNITED STATES DEPARTMENT OF
JUSTICE**

s/ Rachel Horvitz

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JOINT STIPULATION TO CONSOLIDATE
CASES 2:17-cv-01297-MJP AND 2:19-cv-01206-
RSM FOR ALL PURPOSES - 4
[Case No.: 2:17-cv-01297-MJP]

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22 Counsel for Plaintiffs

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CERTIFICATE OF SERVICE

The undersigned certifies under penalty of perjury under the laws of the United States of America and the laws of the State of Washington that all participants in the case are registered CM/ECF users and that service of the foregoing documents will be accomplished by the CM/ECF system on August 28, 2019.

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